

Amendment No. 1 to SB0298

**Norris
Signature of Sponsor**

AMEND Senate Bill No. 298

House Bill No. 372*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is further amended by adding the following as a new, appropriately designated section:

Section 39-17-13__.

(a)

(1) It is an offense for a person to knowingly discharge a firearm from a vehicle or while utilizing a vehicle and thereby cause serious bodily injury to another person.

(2) Any person who commits the offense under this subsection is guilty of a Class A felony.

(b)

(1) It is an offense for a person to knowingly discharge a firearm from a vehicle or while utilizing a vehicle and thereby cause bodily injury to another person.

(2) Any person who commits an offense under this subsection is guilty of a Class B felony.

(c)

(1) It is an offense for a person who, from a vehicle or while utilizing a vehicle, discharges a firearm in a manner that creates a substantial risk of bodily injury to another person or who causes property damage to a habitation.

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(2) Any person who commits the offense under this subsection is guilty of a Class C felony.

(d) It shall not be a defense under this section that the person temporarily exited the vehicle to accomplish the act.

(e)

(1) Any vehicle used by the owner, or anyone acting with the knowledge and consent of the owner, during the commission of a violation of this section shall, upon conviction, be forfeited.

(2) Property which is forfeitable based on this section shall be forfeited pursuant to and in accordance with the procedures for forfeiture in Tennessee Code Annotated Title 40, Chapter 33, Part 1.

SECTION 2. This act shall take effect July 1, 2002, the public welfare requiring it.